

Johnson, Terry

From: Robert Ukeiley <RUkeiley@biologicaldiversity.org>
Sent: Tuesday, February 19, 2019 5:59 PM
To: Shepherd, Lorinda
Cc: Johnson, Terry; Perrin de Jong
Subject: University of North Carolina at Chapel Hill 03069T36
Attachments: UNC DAQ comments 10.25.18 vfin.pdf

Categories: Red Category

Dear Ms. Shepherd:

EPA Region 4's webpage currently lists the Title V permit for University of North Carolina at Chapel Hill, #03069T36, as undergoing Parallel Review. See <https://www.epa.gov/caa-permitting/north-carolina-proposed-title-v-permits>

However, we submitted comments on this draft permit to the North Carolina Division for Air Quality (Division). See attached. It is my understanding that others also submitted comments. We have also requested a public hearing. The Division has informed us that they are still considering this request for a public hearing.

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Thank you in advance for your prompt attention to this matter.

Sincerely,

Robert Ukeiley
Senior Attorney – Environmental Health
Center for Biological Diversity
1536 Wynkoop St., Ste. 421
Denver, CO 80202
(720) 496-8568
rukeiley@biologicaldiversity.org

Johnson, Terry

From: Johnson, Terry
Sent: Thursday, February 21, 2019 11:03 AM
To: Ceron, Heather
Subject: FW: University of North Carolina at Chapel Hill 03069T36
Attachments: UNC DAQ comments 10.25.18 vfin.pdf

A copy of comment letter from Center for Biological Diversity attached. I have not yet received copies of the comment(s) on this proposed permit from NC DEQ. They typically include them with their re-proposed permit and revised SOB with the RTC. William informed me last October of significant community interest in this T5 renewal permit, and that they were expecting to receive comments from the public.

-TJ

From: Robert Ukeiley <RUkeiley@biologicaldiversity.org>
Sent: Tuesday, February 19, 2019 5:59 PM
To: Shepherd, Lorinda <Shepherd.Lorinda@epa.gov>
Cc: Johnson, Terry <Johnson.Terry@epa.gov>; Perrin de Jong <PdeJong@biologicaldiversity.org>
Subject: University of North Carolina at Chapel Hill 03069T36

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October 25, 2018

VIA CERTIFIED MAIL, RETURN RECEIPT REQUESTED

David Hughes
Division of Air Quality
1641 Mail Service Center
Raleigh, North Carolina 27699-1641
david.b.hughes@ncdenr.gov

RE: Comments on Title V permit renewal and amendments for
The University Of North Carolina at Chapel Hill
1120 Estes Drive Extension
Chapel Hill, North Carolina 27599-1650
Orange County
Application ID: 6800043.15A, .15B and 18A,
Permit No.: 03069T36

Dear Mr. Hughes:

On behalf of the Center for Biological Diversity and its thousands of members and supporters who are adversely impacted by the University of North Carolina at Chapel Hill's ("UNC") numerous air pollution sources, we are writing to submit comments on the Division of Air Quality's ("Division" or "DAQ") proposed Title V permit 03069T36. As explained in more detail below, the Division must add enforceable, one-hour averaging time emission limits to the Title V permit for sulfur dioxide (SO₂) and nitrogen oxides (NO_x) in order to stop UNC's coal-burning boilers from creating pollution levels on campus and in the surrounding community above the health and public welfare based national ambient air quality standards. Furthermore, additional provisions explained below need to be added to ensure UNC's Title V air pollution permit complies with all applicable requirements.

Note that these comments reflect the limited review we were able to do before the current public comment deadline. We and others have requested an extension of the public comment deadline and also a public hearing. As we described in our October 10, 2018 request, we have been unable to obtain sufficient information from UNC in order to submit fully-informed comments on the full range of relevant issues. If DAQ grants the extension, we will have more time to conduct a more in-depth review and expect to have additional comments.

I. THE TITLE V PERMIT NEEDS ENFORCEABLE, ONE-HOUR AVERAGING TIME EMISSION LIMITS FOR SO₂ AND NO_x FOR THE COAL-BURNING BOILERS IN ORDER TO STOP THEM FROM CAUSING OR CONTRIBUTING TO NAAQS VIOLATIONS.

15A NCAC 2D .0501(c), which is an applicable requirement for UNC's Title V permit, provides:

(c) In addition to any control or manner of operation necessary to meet emission standards in this Section, any source of air pollution shall be operated with such control or in such manner that the source shall not cause the ambient air quality standards of Section .0400 of this Subchapter to be exceeded at any point beyond the premises on which the source is located. When controls more stringent than named in the applicable emission standards in this Section are required to prevent violation of the ambient air quality standards or are required to create an offset, the permit shall contain a condition requiring these controls.

15A NCAC 2D.0401(c), which is also an applicable requirement, provides:

No facility or source of air pollution shall cause any ambient air quality standard in this Section to be exceeded or contribute to a violation of any ambient air quality standard in this Section except as allowed by rules .0531 or .0532 of this Subchapter.

UNC is not in an area designated nonattainment for nitrogen oxides (NO_x) or sulfur dioxide (SO₂) so rule .0531 does not apply. The emission limits for NO_x and SO₂ in the UNC draft Title V permit do allow for UNC to cause, by itself, violations of the 2010 1-hour NO_x and SO₂ NAAQS so rule .0532 does not apply.

We retained expert air modeler Lindsey Meyers to determine if the current permit limits in the draft Title V permit are adequate to prevent 2010 1-hour NO_x and SO₂ NAAQS violation. *See* Ex. 1, Air Dispersion Modeling Analysis For Verifying Compliance of Allowable Emissions with the One-Hour SO₂ and NO₂ NAAQS: UNC Manning and Cogeneration Power Plants, Lindsey Meyers, Oct. 22, 2018. Ms. Meyers mainly relied on UNC and DAQ's own inputs and used the latest version of EPA's own air model. Ex. 1 at 3-9. Ms. Meyers' analysis included several conservative assumptions which tend to result in lower ambient pollution levels. Nevertheless, Ms. Meyers' analysis concluded that boilers 6-10 and the two non-emergency generators resulted in an impact of 1170.96 micrograms / cubic meter (ug/m³) of SO₂, which is almost six times as much as the NAAQS of 196.2 ug/m³. Ex. 1 at 9. Just the coal fired units, boilers 6 and 7, produced an impact of 758.02 ug/m³, which is almost four times higher than the NAAQS. *Id.* The violations spread well off of the UNC campus. Ex. 1 at 10-11.

As to NO_x, even using UNC's unexplained NO/NO₂ in stack ratio of 0.2, UNC's impacts were still 330.23 ug/m³ which is well above the 188 ug/m³ 1-hour Nox NAAQS. Ex. 1 at 12. Using EPA's recommendation NO/NO₂ ratio of 0.5, the analysis showed an impact of 763.75 ug/m³, which is more than four times higher than the NAAQS. *Id.* Again, these violations extend well beyond campus. *Id.* at 13-14.

Therefore, DAQ needs to add NO_x and SO₂ emission limits to implement 15A NCAC 2D .0501(c) and 15A NCAC 2D.0401(c) and also to ensure that these applicable requirements are enforceable as a practical matter. These emission limits must assure that UNC cannot cause violations of the NO_x and SO₂ NAAQS. DAQ must also add record keeping, monitoring and reporting to the Title V permit based on these NAAQS protecting emission limits.

II. HAZARDOUS AIR POLLUTANT REGULATIONS

The coal burning Boilers 6 and 7 were required to comply with maximum achievable control technology (MACT) standard DDDDD starting January 31, 2016. *See* 40 CFR 63.7495(b). There is no evidence that Boilers 6 and 7 have been complying with MACT DDDDD since January 31, 2016 and no evidence that UNC has obtained an extension of this compliance date. Therefore, the Title V permit must include a compliance schedule for UNC to come into compliance with MACT DDDDD. Furthermore, the permit must not contain the claim that MACT DDDDD does not apply until May 20, 2019.

Furthermore, the Title V permit does not have the correct sorbent injection rate. The Title V permit used 9.53 lb/lb coal to sorbent maximum based on the April 2014 Hg and HCL test. However, 40 CFR 63.7575 provides that the sorbent injection rate must be the “load fraction multiplied by the lowest hourly average sorbent injection rate for each sorbent measured according to Table 7 to this subpart during the most recent performance test demonstrating compliance with the applicable emission limits”. The most recent test is December 2014. Thus, the sorbent injection rate must be based on that test. In addition, the sorbent injection rate must be load fraction adjusted.

III. THE TITLE V PERMIT NEEDS ADDITIONAL MONITORING, RECORDING KEEPING AND REPORTING PROVISIONS.

Title V permits must contain monitoring, recordkeeping and reporting to ensure that all applicable requirements are enforceable as a practical matter and are complied with. However, there is no monitoring, record keeping, or reporting for the wet suppression operating scenario for the three enclosed railcar dump pits – ES-010. DAQ must add this to the Permit.

Furthermore, monitoring for the ash loadout system is based on visible emissions “above normal” but normal is not defined. Thus, this requirement is not enforceable as a practical matter. The Permit must have an objective standard of “normal” in order to be able to judge when visible emissions are above normal.

IV. CAM

The application review states that no new control devices have been added since the original CAM review. Application Review at 7. Yet, Application No. 6800043.18A is to add two new dry sorbent injection systems. *Id.* At 3. Therefore, the CAM plan needs to be revised to include CAM for the dry sorbent injection systems.

V. CONCLUSION

Thank you for considering our comments. If you have any questions or need any clarifications, please do not hesitate to ask. Otherwise, we look forward to seeing an enhanced final permit which includes the additional emission limits, monitoring, recording keeping and reporting provisions discussed above to ensure that UNC does not further endanger the public health and welfare of UNC's students and the surrounding community.

Sincerely,



Perrin de Jong
Staff Attorney
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Asheville, NC 28816
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Johnson, Terry

From: Johnson, Terry
Sent: Thursday, February 21, 2019 10:57 AM
To: 'Robert Ukeiley'; Shepherd, Lorinda
Cc: Perrin de Jong
Subject: RE: University of North Carolina at Chapel Hill 03069T36

Categories: Red Category

Dear Mr. Ukeiley,

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Please call or email me if you have any further questions.

Sincerely,

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Terry Johnson
US EPA Region IV
Air, Pesticides & Toxics Management Division
Air Permits Section
404-562-8950
Johnson.Terry@epa.gov

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Sent: Thursday, February 21, 2019 4:40 PM
To: Johnson, Terry; Shepherd, Lorinda
Cc: Perrin de Jong
Subject: RE: University of North Carolina at Chapel Hill 03069T36

Thanks. I would appreciate notification when you do receive the re-proposed permit package.

From: Johnson, Terry [mailto:Johnson.Terry@epa.gov]
Sent: Thursday, February 21, 2019 8:57 AM
To: Robert Ukeiley; Shepherd, Lorinda
Cc: Perrin de Jong
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